GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants - Department of Tribal Welfare – Certain allegations against Sri Kota. Ashok, the then Executive Engineer (Now Retired), ITDA Seethampeta, Srikakulam District in" execution of roads to unconnected habitations in hilly terrain (Ghat portions) pertains to ITDA, Seetampeta of Parvatipuram Manyam (erstwhile Srikakulam District) sanctioned under the Educational Infrastructure Grant of Scheduled Tribes Component" - Vigilance report received - Initiation of departmental proceedings under Rule 20 of A.P.C.S.(CC&A) Rules 1991 – Article of Charges – Issued.

DEPARTMENT OF TRIBAL WELFARE (SER)

G.O.RT.No. 31 **Dated: 13-03-2025**

Read the following:-

1.From the GA (V&E) Dept., Vigilance Report No.41 (C. No. 706&47 46 /V &E / Engg / 2O21 / RJMv), Dt. 1 3-09- 2023.

2. G.O. Rt. No.30, Department of Tribal Welfare(SER), dt.13.03.2025

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O R D E R :

It is proposed to hold an enquiry against Sri Kota Ashok, the then Executive Engineer (Retired from service on 31-01-2019), ITDA Seethampeta, Srikakulam District in accordance with the procedure laid down in Rule 20 of A.P.C.S. (CCA) Rule, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which is the inquiry is proposed to be held is set out in the enclosed statement of articles of charges.

3. Sri Kota Ashok, the then Executive Engineer (Now Retired), ITDA Seethampeta, Srikakulam District is directed to submit within 10 days of the receipt of this order, a written statement of his defense.

4. Sri Kota Ashok, the then Executive Engineer (Now Retired), ITDA Seethampeta, Srikakulam District is informed that an inquiry will be held in respect of those articles of charges as are not admitted. he should, therefore, specifically admit or deny each article of charges.

5. Sri Kota Ashok, the then Executive Engineer (Now Retired), ITDA Seethampeta, Srikakulam District is further informed that if he does not submit his written statement of defense on or before the date

specified in para 3 above further action will be processed based on the material available.

6. Sri Kota Ashok, the then Executive Engineer (Now Retired), ITDA Seethampeta, Srikakulam District is invited to Rule 24 of the APCS (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings it will be presumed Sri Kota Ashok, the then Executive Engineer (Now Retired), ITDA Seethampeta, Srikakulam District is aware of such a representation and that it has been made at his instance and that action will be taken against him for violation of Rule 24 of A.P.C.S. (Conduct) Rules, 1964.

7. The receipt of this proceedings, may be acknowledged.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M M NAYAK
SECRETARY TO GOVERNMENT

To
Sri Kota Ashok, the then Executive Engineer (Now Retired), ITDA Seethampeta, Srikakulam District (through O/o the ENC, TW, Vijayawada)

Copy to:

The Engineer-in-Chief, Tribal Welfare, Vijayawada (With a request to serve the order on the individual and sent the served copy to Government)
The APVC, Velagapudi

//FORWARDED:: BY ORDER//

SECTION OFFICER

ANNEXURE - I

Statement of article of charges framed against Sri Kota Ashok, the then Executive Engineer (Retired from service on 31 -01 -2019), ITDA Seethmpeta, Srikakulam District:

Charge: Sri Kota Ashok, the then Executive Engineer (Retired from service on 31 -01 -2019), ITDA Seethmpeta, Srikakulam Dlstrict has committed the following irregularities in execution of works.

1) Formation of road from Pedabagga BT road to Sandiguda of Seethampeta Mandal in Srikakulam District. Est.Cost.7.60lakh.

2) Formation of road from Ethamanuguda BT road to Gudangi via Rajulaguda in Poothikavalasa GP of Seethampeta Mandal in Srikakulam district. Est.Cost. Rs. 10.00lakhs.

3) Formation of road from Danjupai Appannaguda in Killada GP of Seethampeta Mandal in Srikakulam District Est.Cost.Rs.9.90lakhs.

5) Formation of road from Sarubujjill road Murugadalova in Chorlangi GP of LN Peta Mandal of Srikakulam District. Estimated cost Rs.8.60 lakh.

6) Formation of road from Nelabonthu Bheempuram road to Mutyalabonthu in Kerasingi Panchayat of Meliaputti Mandal of Srikakulam District. Estimated cost Rs.6.90 lakhs.

7) Formation of road from AB road to Dokulaguda of Baleru GP of Bhamini Mandal in Srikakulam District. Estimated cost Rs.9.30 Lakhs.

8) Formation of road from Bhogapuram to Ambakola in Bhogapuram GP Mandasa Mandal in Srikakulam District. Estimated cost Rs 7.90 Lakhs.

9) Formation of road from Pedapaliya to Tusara in Lotturu GP of Palasa Mandal in Srikakulam District. Estimated cost Rs.8.00 Lakhs.

As follows:

1. Without proper scrutiny of records, he recommended the payment which is in violation of Para 294 (a) of APPWA code &. Para 797, Note 1 of APPWD code.

2. He violated the Specification 203.3.1 of APDSS by not issuing written permission for blasting.

3. He failed to supervise the procedure adopted by the field staff in 'Disposal of rock debris' which is in violation of clause 1603,4.1 of MoRD Specifications Hence, Disciplinary action as per rule 9(1) of AP Revised Pension Rules, 1980.

M M NAYAK
SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE II

Statement of imputations of misconduct or misbehaviour in support of the article of charges framed against Sri Kota Ashok the then Executive Engineer (Retired from service on 31-01-2019), ITDA Seethmpeta, Srikakulam District:

Basis of the charge:

As per the Vigilance Report.41 (C. No. 706 & 4746/V&E/ Engg/ 2021/RJMv), Dt.13.09.2023 of General Administration (Vigilance and Enforcement) Department, certain irregularities were committed in "execution of roads to unconnected habitations in hilly terrain (Ghat portions) pertains to ITDA,Seetampeta of Parvatipuram Manyam (erstwhile Srikakulam District) sanctioned under the Educational Infrastructure Grant of Scheduled Tribes Component ".

1) Formation of road from Pedabagga BT road to Sandiguda of Seethampeta Mandal in Srikakulam District. Est.Cost.7.60 lakh". Technically sanctioned vide D.R.No.142/2017-18/DB/Dt 04.12.2017 and the agreement details are agreement No.141/2017-18/Dt 03.01.2018 entrusted to President WDA, Chinabagga, Contract Value Rs.6.75lakhs.

2) Formation of road from Ethamanuguda BT road to Gudangi via Rajulaguda in Poothikavalasa GP of Seethampeta Mandal in

Srikakulam district. Est.Cost.Rs.10.00 lakhs". Technically sanctioned vide D.R.No.144/2017-18/DB/dt. 04.12.2017 and the agreement details are agreement no.l6/2017-18/dt.04.12.2017 entrusted to President WDA, Chinthamanu colony. Contract value Rs.8.88lakhs.

3) Formation of road from Danjupai Appannaguda in Killada GP of Seethampeta Mandal in Srikakulam District Est.Cost.Rs.9.90 lakhs". Technaically sanctioned vide D.R.No.150/2017-18/DB/Dt.04.12.2017 and agreement details are Agreement no.140/2017-I8/Dt.03.01.2018 entrusted to President WDA Killada. Contract value.Rs.8.81 lakhs.

4) Formation of road by mechanical means road from Nelabonthu Bheempuram roadto Veerannaghat, Kerasingi GP of Meliaputti Mandal in Srikakulam District. Estimated cost Rs.4.00 lakh. Technically sanctioned vide D.R. No.233/2017-18/DB/Dt19.01.2018 and the agreement details are Agreement No.202/2017-18/Dt.04.01.2018 entrusted to Vice president WDA, Nelabonthu(V) Pathapatnam (M) contract value Rs.3.57 lakhs.

5) Formation of road from Sarubujjill road Murugadalova in Chorlangi GP of LN Peta Mandal of Srikakulam District. Estimated cost Rs.8.60 lakhs. Technically sanctioned vide D.R.No.23/2017-18/DB/Dt. 19.01.2018 and the agreement details are Agreement No.203/2017-18/Dt.19.01.2018 entrusted to Vice president WDA, Jambada(V) L.N.Peta (M) contract value Rs,7.73 lakhs.

6) Formation of road from Nelabonthu Bheempuram road to Mutyalabonthu in Kerasingi Panchayat of Meliaputti Mandal of Srikakulam District. Estimated cost Rs.6.90 lakhs. Technically sanctioned vide D.R.No.228/2017-18/DB/Dt.19.01.2018 and the agreement details are Agreement No.206/2017-18/Dt.19.01.2018 entrusted to Vice president WDA, Nelabonthu(V) Meliaputti (M) contract value Rs.6.13 lakhs.

7) Formation of road from AB road to Dokulaguda of Baleru GP of Bhamini Mandal in Srikakulam District. Estimated cost Rs.9.30 Lakhs. Technically sanctioned vide D.R.No.189/2017-18/DB/Dt.06.01.2018 and the agreement details are Agreement No.169/2017-18/Dt 06.01.2018 entrusted to Vice president WDA, Baleru GP Bhamini (M) contract value Rs.8.l6 lakhs

8) Formation of road from Bhogapuram to Ambakola in Bhogapuram GP Mandasa Mandal in Srikakulam District. Estimated cost Rs 7.90 Lakhs. Technically sanctioned vide D.R.No.183/2017-18/DB/Dt 05.01.2018 and the agreement details are Agreement No.155/2017-18/Dt.05.01.2018 entrusted to convenor Village development committee Bogapuram GP Mandasa (M) contract value Rs.6.93 lakhs.

9) Formation of road from Pedapaliya to Tusara in Lotturu GP of Palasa Mandal in Srikakulam District. Estimated cost Rs.8.00 Lakhs. Technically sanctioned vide D.R.No.181/2017-18/DB/Dt. 05.01.2018 and the agreement details are Agreement No.157/2017-18/Dt 05.01.2018 entrusted to Vice president WDA, Lotturu GP Palasa (M) contract value Rs.6.99 lakhs.

I) In Schedule-A of agreement, it was mentioned against the item that "Payment will be made based on level for finished item of work". As per Para 294 (a) (1) of AP Public Work Accounts Code (Refer Annexure-A22), "where payment is resorted to with reference to the levels, in the case of earth work, the levels should be recorded in LF Books, calculation of quantity of earthwork done should be made after plotting the levels on Section sheets. In such cases, the LF books, Section sheets and calculation statements should be treated as adjuncts to the measurement book". Also, as per Note 1 of Para 292 of AP Public Works Department Code (Refer Annexure-A23), a certificate shall be inserted at the time of passing bills as "Certified that levels recorded in the L.F. Books, levels plotted in section sheets and the quantities worked out in the calculation sheets have been checked and found correct", But without following these, the aforesaid officer recommended the bill for payment.

II. In Schedule-A of agreement, it was mentioned against the item that "Payment will be made based on level for finished item of work". As per Para 294 (a) (1) of Ap Public Work Accounts Code, "where payment is resorted to, with reference to the levels, in the case of earth work, the levels should be recorded in, LF Books, calculation of quantity of earthwork done should be made offer plotting the levels on Section sheets. In such cases, the L.F.book, Section sheets and calculation statements should be tranced as adjuncts to the measurement book.". Also, as per Note 1 of Para 292 of AP Public Works Department Code, a

certificate shall be inserted at the time of passing bills as "Certified that levels recorded in the L.F. Books, levels plotted in section sheets and the quantities worked out in the calculation sheets have been checked and found correct". But as observed from the M. Book records, no such certificates were made, but the bills were processed for payment.

III. As per the Specification 203.3.1 of AP Detailed Standard Specifications (Copy enclosed as Annexure-A21), "Blasting operations, when considered necessary shall be resorted to only with the written permission of the Executive Engineer". Hence his statement that obtaining the permission for blasting is the responsibility of the VTDA/Sarpanch/Field staff is not acceptable. The Field staff stated that the Executive Engineer & Project officer, ITDA Issued oral instructions to carry on the blasting process.

IV. As per clause 1603.4.1 (Safe-disposal of debris), Chapter-1600 (Hill Road construction) of 'Specifications for Rural Roads', "Debris from excavation/blasting shall be disposed of systematically with due consideration to avoiding adverse effect on environment. It shall not be thrown haphazardly down the hill slopes as this is likely to trigger off land-slides, heary siltation, choking of water channels/streams and damage to agricultural land and private/govt. property. It shall be stacked at identified locations along road-side or away from it to the satisfaction of the Engineer, as specified in the contract. It shall either be turfed or shall be provided with vegetative cover as per provisions of contract". Hence it is clear that the officer violated the specification in this regard.

M M NAYAK
SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE III

List of documents by which the Article of charges framed against Sri Kota Ashok, the then Executive Engineer (Retired from service on 31- 01-2019), ITDA Seethmpeta, Srikakulam District:

1) From the GA (V&E) Dept., Vigilance Report No.41 (C. No. 706 &4746 /V&E/Engg/2021/ RJMv), Dt.13-09-2023.

M M NAYAK
SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE - IV

List of witnesses by whom the Article of Charges framed against Sri Kota Ashok, the then Executive Engineer (Retired from service on 31-01-2019), ITDA Seethmpeta, Srikakulam District:

List of Witnesses:

The concerned Vigilance & Enforcement Department officials have enquired into the allegations in "execution of roads to unconnected habitations in hilly terrain (Ghat portions) pertains to ITDA, Seetampeta of Parvatipuram Manyam (erstwhile Srikakulam District) sanctioned under the Educational Infrastructure Grant of Scheduled Tribes Component " executed by Tribal Welfare Engineering Department.

M M NAYAK
SECRETARY TO GOVERNMENT

//FORWARDED::BY ORDER//

SECTION OFFICER